

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BRIDGESTONE/FIRESTONE	§
NORTH AMERICAN TIRE, LLC,	§ No. 95, 2009
BRIDGESTONE/FIRESTONE,	§
INC.,BRIDGESTONE/FIRESTONE	§
RESEARCH, LLC,	§ Court Below—Superior Court
BRIDGESTONE AMERICAS	§ of the State of Delaware
HOLDING, INC., FIRESTONE	§ in and for New Castle County
TIRE & RUBBER COMPANY, and	§ C.A. No. 07C-06-249
FORD MOTOR COMPANY,	§
	§
Defendants Below-	§
Appellants,	§
	§
v.	§
	§
ROSA LAURA CERVANTES,	§
individually and as representative of	§
the estate of ELROY TUDON	§
HERNANDEZ, deceased, and next	§
friend of JOEL ALEJANDRO	§
TUDON CERVANTES, SERGIO	§
ORLANDO TUDON CERVANTES,	§
and ELROY OBED TUDON	§
CERVANTES, minors,	§
	§
Plaintiffs Below-	§
Appellees.	§

Submitted: February 26, 2009

Decided: March 4, 2009

Before **STEELE**, Chief Justice, **HOLLAND** and **RIDGELY**, Justices

**ORDER**

This 4<sup>th</sup> day of March 2009, it appears to the Court that:

(1) The defendants-appellants, Bridgestone/Firestone North American Tire, LLC, Bridgestone/Firestone, Inc., Bridgestone/Firestone Research, LLC, Bridgestone Americas Holding, Inc., Firestone Tire & Rubber Company (“Bridgestone”), and Ford Motor Company (“Ford”) have jointly petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from the Superior Court’s interlocutory ruling on January 29, 2009 denying the joint motion of Bridgestone and Ford to dismiss on the ground of *forum non conveniens*.

(2) On February 24, 2009, the Superior Court refused to certify an interlocutory appeal to this Court pursuant to Rule 42 on the ground that the criteria of Rule 42 had not been met.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in exceptional circumstances.<sup>1</sup> We have examined the Superior Court’s January 29, 2009 decision according to the criteria set forth in Rule 42. In the exercise of its discretion, this Court has concluded that such exceptional circumstances as would merit interlocutory review of the decision of the Superior Court do not exist in this case.

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<sup>1</sup> Supr. Ct. R. 42(b).

NOW, THEREFORE, IT IS ORDERED that the within interlocutory appeal is REFUSED.

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice